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Malevolent Associations:
Understanding Florida Law Enforcement Union Power Through a Fundamental
Analysis of Police Violence

Daniel Felde

University of Vermont 2021

Honors Thesis

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Abstract

Contemporary critiques of police unions typically highlight the unions' abilities to obstruct accountability and reform processes. This paper examines police unions from an alternate perspective, focusing on how they cause harm by expanding the institution of police. Through a review of the concepts, history, and contemporary impacts of policing, I interpret the police as fundamentally an institution of violent oppression. I use this assessment to reframe the harmful impacts of police unions as organizations that expand their institutional power by using collective bargaining power to increase police funding. To extend this evaluation, I conduct an empirical analysis of the impact of collective bargaining on law enforcement budgets in Florida. Using fixed-effects regression analysis, I find that the introduction of collective bargaining rights led to a 29.5% increase in sheriffs' office budgets and a 1.3% increase in the proportion of law enforcement budgets of total jurisdiction budgets.

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university. It is my hope that this acknowledgement, along with what I have learned from this thesis, will help inform my contributions to dismantling the ongoing legacy of settler-colonialism and other forms of systemic oppression in the communities I inhabit throughout my life.

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Malevolent Associations:
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I. Introduction

Over the summer of 2020, hundreds of Black Lives Matter protests arose in response to the torturous public murder of George Floyd by the Minneapolis police over an alleged counterfeit \$20 bill. Some have labeled this the largest social movement in United States history (Buchanan, Bui, and Patel 2020). Building upon decades of sustained community organizing that acknowledged the fundamental violence of policing, millions took to the streets behind banners that called for defunding and abolishing the police. These demands marked a distinct shift away from the popular belief in the necessity of police reformation and thus relegitimization and expansion of the institution.

Despite oft-opposing demands, a common recognition among police abolitionists and preservationists alike is that police union power is an obstacle in the pursuit of justice. Typical critiques of police unions point to the need for police accountability and reform to reduce police violence. These processes are often hindered by the collective bargaining agreements and political influence of unions. My thesis eschews the dominant critique of police unions, instead providing a scholarly accompaniment to more radical analyses of police unions. Although police unions are often called “benevolent associations,” (and while police unions certainly are benevolent to police officers themselves) this analysis sees police unions as associations of malevolence. Drawing from abolitionist arguments which address police violence by challenging policing itself, I explore the extent to which police unions cause harm by strengthening the institution of police rather than how they protect “bad apples” from consequences or obstruct relatively minor tweaks in police procedure.

I begin my examination of police unions with an assessment of policing that is based on a conceptual analysis, a review of the historical legacy of policing, and the contemporary impact of the institution. Such an examination is crucial for understanding violence against marginalized people as the core of policing, rather than an exception. I then review popular critiques of police unions and the role of police unions in relation to the labor movement, which inform my framing of the problem of police unions as a problem of police. I find that a comprehensive understanding of the negative impacts of police unions should reflect the extent to which police unions empower police as an institution. Drawing from the demands of the movement to defund the police which seek to reduce police violence by diminishing police expenditures, I focus on police budgets as a primary indicator of police power. I then empirically assess the impacts of collective bargaining rights on law enforcement budgets in Florida. The results are consistent with my reconceptualization of police union power.

II. Theoretical Considerations on the Role of Police

A. Societal Analysis

As a method of domination itself, policing must be contextualized within the underlying systems of dominance upon which the U.S. was built and continues to sustain itself. Interconnected oppressions in the form of settler-colonialism, white supremacy, anti-Blackness, ableism, cisheteropatriarchy, capitalist exploitation, and imperialist expansion continue to define the power dynamics of U.S. society through laws and norms. The carceral state¹ acts as a

¹ The carceral state encompasses a vast network of disciplinary forces. Naomi Murakawa (2014, 213) provides a comprehensive definition of its makeup: “State institutions, policies, and personnel become part of the carceral state when and to the extent that they: (1) require exclusion based on a person’s criminal justice stats (e.g., felon disenfranchisement and exclusion from higher education loans); (2865) use prison or jail as reprimand for issues beyond criminal law (e.g., imprisonment for nonpayment of consumer debt or legal financial obligations); (3) integrate criminal justice personnel into regular institutional practices (e.g., police in public schools); and (4) cross-deputize noncriminal justice personnel to enforce criminal law (e.g., border patrol).”

mechanism of social control to maintain the systems of dominance and withstand resistance (Foucault 1995; James 1996; Garland 2001). Police serve as the foot soldiers of the carceral state, fabricating the social order through the power of the badge and gun (Neocleous 2021). As Williams notes (2015, 48), “police activities, legal or illegal, violent or nonviolent, tend to keep the people who currently stand at the bottom of the social hierarchy in their ‘place,’ where they ‘belong’—at the bottom. This is why James Baldwin said that policing was ‘oppressive’ and ‘an insult’.”

This broad context is necessary to frame an institutional, rather than a narrower analysis of police and their violence. Though individual officers vary in their intentions and actions, they all operate within the context of structural domination as police. Some characterize the U.S. police system as “broken” or “flawed,” but these analyses disregard the fundamental purpose of police as a force of oppression. Officers facing significant public scrutiny for violence are often characterized as “bad apples” that are unrepresentative of other police. That phrase comes from the proverb “one bad apple spoils the whole barrel,” which would imply that one officer’s malicious behavior would impact the rest. However, this is also an incomplete understanding of police violence. To extend the metaphor, the deepest analyses of police violence, typically from police abolitionists, incorporate a systemic perspective which holds that the apple tree, as the institution of policing, is rotten to the core and grown from the toxic soil of global inequality. Abolitionists recognize that to eliminate police violence, the metaphorical tree must not only be felled, but the ground tilled and fertilized. This is what abolitionist scholar Ruth Wilson Gilmore means when she says “abolition is deliberately everything-ist; it’s about the entirety of human-environmental relations” (Kushner 2019).

B. Construction of Criminality

The construction of criminality is crucial to the rationalization and facilitation of carceral control. There is a wide range of beliefs about the purpose of the police, but crime control is commonly acknowledged as a central component to policing. Despite majority disapproval ratings in some other job functions, most Americans believe police are doing a good job specifically at protecting people from crime (Pew Research Center 2020). However, crime is not an accurate or neutral indicator of harm. As civil rights lawyer Alec Karakatsanis (2019) notes, “criminal law is not an inviolate repository of right and wrong, but—just like any other policy fashioned in a country as unequal as ours—a tool related to cultural, racial, and economic features of our society.” To maintain the stability of those features, what counts as crime depends upon who needs to be controlled (Gilmore 2007). Criminality is often defined by individual failings that ignore systemic contexts, which allows for the perpetual targeting of the systemically disadvantaged. Through the societal imposition of criminality upon marginalized groups, police are authorized to use violence against them to maintain order. Therefore, the selective definition and punishment of criminality reveals the underlying power dynamics of our society.

Shoplifting, for example, is enforced and penalized far more heavily than minimum wage violations by businesses dollar-for-dollar, despite the disparate impacts of the two forms of theft. Both shoplifting and minimum wage violations amount to \$15 billion per year in value stolen, but while the former spoils the ability of corporations to maximize profits, the latter forces 302,000 families below the federal poverty line (Traub). Retailers spend 39 times more on security than the Department of Labor spends on enforcing minimum wage standards and while shoplifters can face prison sentences, wage theft rarely results in criminal charges and federal

civil penalties are mild (Traub). Minimum wage violations are clearly a much more harmful form of theft, but because it is committed by powerful entities against the less powerful, it is less heavily criminalized and punished than shoplifting.

In 2018, 700,000 people were arrested on marijuana charges despite the relatively insignificant harm caused by the drug and overwhelming support for legalization (Drug Policy Alliance 2017; Lopez 2017; ACLU 2020). Reflecting the history of the racist war on drugs in the U.S., Black people were arrested for marijuana at a rate 3.64 times higher than the rate of white people in 2018 (ACLU 2020). Meanwhile, powerful pharmaceutical companies use the criminal legal system as a tool to protect their profits by pushing for the continued criminalization of marijuana, which encourages opioid dependence (and overdose) as an alternative (Serrano 2016).

The crime of jaywalking is a construction of car manufacturers who sought to avoid tighter transportation safety regulations by socially and legally redefining public space following the rapid rise in pedestrian deaths caused by the introduction of cars (Stromberg 2015). Today, jaywalking represents one of countless traffic laws that disproportionately target marginalized people with citations and fines and are used to establish probable cause for detaining and searching “suspicious” people who could not otherwise be legally stopped (Sanders, Rabinowitz, and Conarck 2017).

Even the social and legal designation of criminality for physical violence is dependent upon the status of the perpetrator and victim. The federal government reserves its harshest punishment, the death penalty, almost exclusively for various types of murder offenses (Snell 2020). By responding to violence with violence, the state demonstrates which forms of violence are deemed acceptable and which are deemed criminal. Despite only constituting 13% of the U.S. population, Black people make up 42% of those on death row. Additionally, people are far

more likely to be sentenced to death for killing a white person than for killing a Black person (Equal Justice Initiative). Whereas physical violence committed *by* Black people is considered criminal, state violence *toward* Black people is praxis.

These examples show how particular activities are labeled as criminal, but they represent only a portion of the vast network of criminal construction—a web of behavioral and physical designations which determines who is labeled, stigmatized, surveilled, and punished as “criminal,” “deviant,” or otherwise “unworthy,” legitimating police (among other forms of social) control over entire groups of people. For instance, following the end of the Reconstruction era, African Americans were disproportionately imprisoned as a result of “specifically designed race-conscious laws, discriminatory punishments, and new forms of everyday racial surveillance [that] had been institutionalized by the 1890s as a way to suppress black freedom” (Muhammad 2010, 4). To justify the postbellum continuation of the white supremacist racial hierarchy that was frequently enforced by police violence, racial liberals blamed this “criminality” on Black culture, thus criminalizing Blackness itself (Muhammad 2010). As Joy James (1996, 26-27) notes, “where the plague and the leper are codified in the black, for instance, the dreams and desires of a society and state will be centered on the control of the black body.” John Ehrlichman, who served as Nixon’s domestic policy advisor provided an unmistakable confirmation of this enduring process in an interview:

The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I’m saying? We knew we couldn’t make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did. (Baum 2016)

Though the antiblack punitive tradition is perhaps the clearest example of law enforcement's role in the suppression of entire deviant-deemed groups, it "exemplifies the perpetual criminalization of a *constellation* of marginalized, minority-identified populations" (Hinton and Cook 2021, 262; emphasis my own). For instance, bans on traditional dancing, drumming, and Native languages and heavy enforcement of alcohol abuse-related violations² have contributed to the criminalization of indigeneity (Kilgore 2016). The "walking while trans" anti-loitering law, which was recently repealed in New York, is one of many laws criminalizing deviant gender and sexuality (Mogul, Ritchie, and Whitlock 2011; Yurcaba 2021). The targeting of most marginalized identities intersects with the criminalization of poverty, which treats the inability to afford basic necessities (due to resource hoarding and exclusion under racial capitalism) and the resultant struggle to survive as an offense against society worthy of punishment.

C. Policing as Violence

The police's power to exert social control is based in violence. For this reason, historian Micol Siegel (2018) succinctly characterizes the job of the police as "violence work." Police demonstrate control through body language and their presence alone is enough to induce anxiety and trauma symptoms, which contribute to negative long-term health outcomes (Geller et al. 2014; Sewell and Jefferson 2016). While most encounters with the police are not deadly, they all

² Though alcohol dependence is generally seen as partly heritable, predisposition to alcoholism has not been proven to be a natural trait of indigeneity itself. However, alcohol abuse and alcohol-related deaths are a particular problem on reservations due to young and poor demographics, historically "flamboyant" drinking styles, and high-risk environments, as well as the historical legacy of alcohol as a "colonial weapon" introduced by settlers to control and eradicate Native populations (Dunbar-Ortiz and Gilio-Whitaker 2017; Kilgore 2016).

occur with the potential for an officer to use handcuffs or weapons to force compliance. As Harring (2017, 255) notes,

The capacity of the police to intervene in family problems, settle informal disputes on the street, and direct those in need of help to proper institutions all turns on the capacity for violence. The police officer's recommendation that an alcoholic report to a shelter for treatment and lodging is not just another friendly suggestion: the officer has the option of arrest the next time he sees the person.

The power to use violence is administered disproportionately according to class, race, ability, gender, and sexuality, a result of both the fundamental purpose of the job as well as officers' individual biases. The police's fast violence, seen in the flashes of their handcuffs and gun muzzles, complements a legacy of top-down slow violence, distilling centuries of state-sanctioned dehumanization and destruction of marginalized people into the ratcheting of shackles and the clicking of triggers (Colebrook 2020). Violence is therefore not a byproduct of policing, but rather fundamental to the institution, due to its legal authorization, interconnected forms (as physical, sexual, psychological, and exploitative economic violence), routine occurrence, and targeting along vectors of marginalization that reflect and reproduce the patterns of society (Akbar 2020).

III. The History of Policing

A. Police Origins

A historical analysis of police is necessary to understand contemporary police violence in the context of systemic patterns of domination. Without the historical context, police may seem like a natural, everlasting presence in society, rather than a human invention that has been continuously adapted to control particular marginalized groups since its inception. By examining different eras of police evolution, I provide evidence that popular surface-level critiques of police

violence and discrimination actually are reflective of the core nature of the job. In this section, I explore the origins of modern policing in London as a means to quash labor uprisings—a model that was then exported to the northern U. S., where workers in industrializing cities were contesting capitalist power. I then describe the origins of police departments in the southern U.S. as a tool to control Black people, first as an extension of slave patrols, then to facilitate convict leasing.

The London Metropolitan Police, established in 1829 by Robert Peel, is known as the first (modern) professional police force (Vitale 2018; Go 2020). The need for this force arose out of the inability of local militias and the British Army to quell uprisings caused by pervasive poverty and changes in the workforce from industrialization (Vitale 2018). Following the Peterloo Massacre of 1819 in Manchester, a deadly military response to a peaceful rally expressing political and economic discontent, the British state began to use vagrancy laws to control wage-laboring populations by forcing them into productive work (Vitale 2018). Peel set out to create a police force to maintain the political and economic stability of the turbulent capitalist order by cracking down on vagrants, rioters, and strikers and by protecting property (Vitale 2018).

The emergence of police departments in the U.S. differed in the North and South of the country, as each version intended to control the specific populations of interest in the region. In the North, the capitalist class adapted and expanded the London model of policing to manage wage-laboring populations in industrializing cities. Though private armed forces, such as the Pinkertons, did exist, they “lacked the manpower, the legitimacy, and the will” that the police, as a bureaucratic arm of the state, could develop (Mitrani 2013, 12). The militia and national guard could have served in the law enforcement role, but they were “inefficient, wasteful, and poorly

disciplined,” which created an opening for local police to take on the role of controlling the working-class (Harring 2017, 147).

Sidney Harring (2017) explores how Buffalo, Milwaukee, Chicago, Pittsburgh, Cleveland, Detroit, and several smaller cities saw the expansion and professionalization of police as a response to class struggle between the end of the Civil War and 1915s. As workers began to move from the countryside to cities and urban economies shifted toward manufacturing, powerful businessmen began to invest in policing to protect their property interests. For instance, following the founding of the Buffalo police department in 1871, mayors and mayor-appointed police commissioners—both roles comprised overwhelmingly of businessmen themselves—were heavily involved in the overarching structure and everyday operations of the police (Harring and McMullin 1975). Between 1870 and 1900, the years of the study, the expansion of the department did not correlate with population or crime increases, but instead with the “labor problem” in the city, which came in the form of strikes and demonstrations against low wages and unfair working conditions. In Chicago, as the economy shifted away from petty proprietors, wealthy merchants, and land speculators to large-scale industrial wage labor controlled by a small number of elites, businessmen were instrumental in shaping police policy and expansion, even donating money for weapons, buildings and police pensions (Mitrani 2013).

Throughout the North, police were used as a tool to manage class struggle. Their most explicit embodiment of this role was as strike-breakers. Police were routinely deployed for the entire duration of a strike—which could last up to several weeks—to handle class conflict by surveilling, beating, and even killing strikers and strike supporters and protecting corporate property and scabs (Harring 2017). Other functions of the police as an institution of class control included the heavy-handed regulation of working-class activities, such as drinking, gathering,

gambling, prostitution, and tramping (the practice of traveling in search of work) (Harring 2017). As Harring (2017) notes, though police also began to take on the role of crime-control, this practice can be seen as an extension of the control over working class activity.

Local, centralized, bureaucratic police departments in the South emerged out of slave patrols, an institution intended to monitor and brutalize the Black population and prevent revolts (Vitale 2018). In a foreshadowing of modern “stop and frisk” policies, these patrols routinely inspected the papers of both enslaved and free Black people as part of the strategy to stop Black people from building community and power. Slave patrols were also tasked with hunting down and returning enslaved people that were trying to flee to the North (Vitale 2018).

After the adoption of the 13th amendment in 1865, the core functions of slave patrols were carried out by the nascent institutions of the police and the Ku Klux Klan. Though they bore different names and levels of institutional legitimacy, the police and the KKK perpetrated explicitly and implicitly state-sanctioned violence toward Black people to the extent that formerly enslaved people “recognized that precious little difference existed between the brutality of slave patrols, white Southern policemen, or the Klan” (Hadden 2001, 220).

Law enforcement later evolved to support the vast project of convict leasing. At the behest of corporate labor agents looking for cheap workers, sheriffs, who were paid in court fees, were “financially motivated to arrest and convict as many people as possible” (Blackmon 2008, 65). Between 100,000 and 200,000 Black people, previously freed from slavery, were arrested by sheriffs and forced into labor for violating laws that were written specifically to control Black people, such as changing employers without permission, vagrancy, riding freight cars without a ticket, and miscegenation (Blackmon 2008).

B. The Modern Expansion of the Carceral State

Whereas in the previous section, I aimed to highlight the original intentions of policing as part of my institutional analysis, this section on more recent police history demonstrates how the underlying role of the police as a tool to control marginalized populations has only grown to this day due to drastic deliberate investments in punishment. Though I have separated these two eras—the origins and modern expansion of policing—into different sections, they are not that distinct; convict leasing was only formally abolished in 1941, a mere generation before the vast expansion of the U.S. police and prison apparatus (Blackmon 2008). These evolving applications of the same logics of anti-Black carceral control in the U.S. are what have led scholars to label today’s practices of policing and incarceration as “The New Jim Crow” and “Neoslavery” (Alexander 2012; Childs 2015).

The expansion of the carceral state during the second half of the 20th century provides the most explicit example of policing as a facet of what Ruth Wilson Gilmore calls “organized violence,” created and maintained by the state to deal with “organized abandonment” (Gilmore and Gilmore 2016). Following a series of social and economic crises, powerful actors heeded “racial capitalism’s contemporary self-saving modality” by “starving the welfare state and smashing regulatory and other barriers to rapid accumulation” (Gilmore and Gilmore 2016, 190). The state could have responded to problems of injustice through investment in care and empowerment. Instead, the state adopted coercive measures in the form of enhanced criminal justice, a process that was aided by cultural shifts and anti-crime and anti-Black rhetoric.

Vesla Weaver (2007) describes the punitive crime policy development process in the 1960s and 1970s as an example of “frontlash,” in which the losers of the civil rights era criminalized racial struggle and racialized crime in order to expand the carceral capacity of the

state as a tool to advance their original anti-civil rights agenda. As Republican presidential candidate Barry Goldwater and Southern Democrats began to galvanize the public about “law and order,” invoking inflammatory images of civil rights demonstrations and the supposedly ensuing violent crime, President Johnson was pressured into adopting a law-and-order agenda and began pushing Congress to enact anti-crime legislation. The increased reliance on punishment that resulted from this era laid the groundwork for future investment in policing and prisons as a way to manage social and economic crises.

In a detailed historical account, Christian Parenti (1999) describes how capitalist crises beginning in the 1960s resulted in the vast expansion of policing. The post-war economic boom in the U.S. created an environment of high taxes and rising wages with little competition on the international scale. In 1946, the U.S. produced half of world output and maintained global export dominance for the next several years (Parenti 1999). However, this dramatic business boom could not last. A combination of increased competition from Germany and Japan, the overaccumulation of consumer durables domestically, stronger labor power and higher wages from tight labor markets, rising oil costs, and increased taxes and regulations protecting workers and consumers all contributed to plunging profits by the mid-1970s (Parenti 1999; Garland 2001).

Reaganomics provided the solution for business interests. In 1979, Reagan’s Federal Reserve Chair boosted interest rates, sending the economy into the deepest recession since the Great Depression, with the explicit intention of reducing nominal wages (Parenti 1999). In the face of rising unemployment and falling wages, the Reagan administration began attacking unions and slashing welfare programs, both of which had expanded worker bargaining power, thus limiting profits (Parenti 1999). At the same time, the U.S. began to lose millions of jobs to

deindustrialization as American manufacturers moved to countries with lower wages and regulations. The restructured labor market resulted in a shift toward an employment pattern characterized by low-paid, part-time, often female workers, or else highly skilled graduate employees, leaving many who were already disadvantaged in the labor market (e.g., workers that were on average young, low-skilled, poorly educated, and non-white) with even fewer job opportunities (Garland 2001).

The U.S. was also evolving geographically, with white people migrating to the suburbs and Black people migrating from the South into redlined neighborhoods in the North (Parenti 1999; Garland 2001). These processes exacerbated economic and social segregation. A number of American social developments, such as changes in the family and household structure, the rise of electronic mass media, and widespread adoption of moral individualism—a shift that prioritized individual freedoms over group obligations—also contributed to further societal divisions that were then used to rationalize the expansion of policing. According to Garland (2001, 102), “crime—together with associated ‘underclass’ behaviors such as drugs [sic] abuse, teenage pregnancy, single parenthood, and welfare dependency—came to function as a rhetorical legitimization for social and economic policies that effectively punished the poor and as a justification for the development of strong disciplinary state.” These social developments paired with economic changes as “the post-liberal, post-welfare economic equation created more poverty and more opulence. Thus, reproducing and governing the social order has required more repression, more segregation, and more criminal justice” (Parenti 1999, 45).

Though the expansion of the carceral state in the late 20th century is often attributed to conservative responses to crime, Murakawa (2014, 13) shows how liberal Democrats contributed to racial criminalization (and thus increased policing) throughout the process by “[entrenching]

notions of black criminality, [fueling] carceral state-building, and [fortifying] the legitimacy of the carceral state.” Liberals, Murakawa (2014, 13) argues, treated racism as a psychological defect, which was “a pollutant to the real self” for white people, but “an injury...constitutive of the real self” for Black people, and the cause of criminality. At the same time, liberals invested in supposedly neutral state-building by professionalizing police and modernizing sentencing, which would strengthen punitive and weaken oppositional interest groups and raise the future costs of switching to life-affirming systems of education, health care, and employment (Murakawa 2014; Weaver and Geller 2019). In doing so, liberals treated racial violence as an administrative deficiency (rather than constitutive) of the criminal justice system, “a ghost in the machine, some immaterial force detached from the institutional terrain of racialized wealth inequality and the possessive investment in whiteness” (Murakawa 2014, 18). By failing to develop a response to this analysis of structural oppression and the carceral state, liberals paved the way for the bipartisan carceral reform and therefore expansion of a system built on the oppression of poor and non-white people.

A series of escalating measures of race and class-based control in the face of economic and social crises led to the era of hyper policing and mass incarceration. For instance, to support the “War on Crime,” the Johnson administration passed the Safe Streets Act of 1968. This legislation created the Law Enforcement Assistance Administration (LEAA), an agency that funded 80,000 crime control projects and awarded \$15 billion in grants in today’s dollars toward police operations during its fifteen-year lifespan (Hinton 2016). Over the decades that followed, states and the federal government built upon crime control legislation like the Safe Streets Act to pass a litany of punitive measures that dramatically expanded the capacity of the carceral state. Within the past 50 years, not only has the incarcerated population risen by 943 percent, but

hundreds of thousands of police officers have been hired to patrol what Soss and Weaver (2017) call “race-class subjugated” communities using increasingly militarized tactics and equipment (Hinton 2016).

IV. The Contemporary Practice of Policing

Contemporary policing practices represent a continuation and expansion of the police’s fundamental role of control and oppression. In this section, I seek to strengthen my analysis of policing by laying out some of the impacts of contemporary police practices and placing them in a broader context to show how they maintain and reproduce inequality. As highlighted in section II., it is the very capacity for violence and coercion that defines policing. Therefore, though individual acts of police violence currently capture widespread attention, they must be understood as representative of the violent nature of policing (Zimring 2017). I highlight the impacts of arrests, killings, and asset seizures to demonstrate the cumulative effect of the core component of police officers’ jobs—the ability to control marginalized groups of people who have been deemed “criminal,” “deviant,” or “unworthy.” Then I describe the impacts of policing on the everyday lives of targeted youths in Oakland and Chicago to underline the analysis of standard contemporary police practices as overwhelmingly oppressive.

A. Killings

The deaths of Michael Brown, Breonna Taylor, and George Floyd at the hands of police captured headlines but they are not isolated incidents. On average, police kill three civilians per day in the U.S. (Zimring 2017). One third of people killed by strangers in the U.S. are killed by police (Lum and Ball 2015). Black people are twice as likely and Native people three times as

likely to be killed by police as white people (Washington Post 2021; Hansen 2017). People in the highest poverty neighborhoods are 3.5 times as likely to be shot and killed as those in the lowest poverty neighborhoods (Feldman 2020). A third to a half of all people killed by police are estimated to be disabled, which includes those with mental illnesses (Perry and Carter-Long 2016). The overwhelming majority of people killed by police are shot, though many are killed by Taser or in police custody (Zimring 2017). In many of these instances, police rationalize their brutality by pointing to “excited delirium” exhibited by their victim, a pseudoscientific label which justifies “fast and overwhelming” force to restrain people reacting to the violence of a police encounter (O’Hare, Budhu and Saadi 2020). Focusing solely on killings, however, obscures other forms of routine violence police commit against marginalized communities as a fulfillment of their job duties.

B. Detention

In the U.S., police arrest someone every three seconds (O’Toole and Neusteter 2019). Though most arrests are not deadly, they all can result in what is referred to as social and civil death, a state of such severe exclusion from humanity-affirming social and political relations that it is compared to biological death (Ewald 2002; Price 2015). Per year in the U.S., there are 10.7 million jail admissions (Zeng 2018). Black people are jailed at over three times and Native people jailed at over twice the rate of white people (Zeng 2018). At any given time, almost half a million people are held while awaiting trial and still legally innocent, and pre-trial detention can last up to several years (Sawyer and Wagner 2020). Many are held not because they are presumed to be a threat to public safety, but rather because they cannot afford bail. As of 2016,

the median bail bond amount was equivalent to eight months of income for the average detained defendant (Rabuy and Kopf 2016).

With a court system that heavily disincentivizes trials, 97% of criminal cases result in plea deals, even though many defendants are innocent (National Association of Criminal Defense Lawyers 2018). Due to this structure, the police effectively act as judge, jury, and executioner by funneling people who are disproportionately poor, Black, and Native into punishment without a determination of state-defined “guilt.” For those who do not end up in prison, citations and arrests trap millions in “misdemeanorland,” a state of control in which people are heavily burdened by the procedural hassle of the legal bureaucracy, the economic and social consequences of a criminal justice record, and the expectation of civilized performance to appease the court (Natapoff 2015; Kohler-Hausmann 2018).

The most drastic consequence of arrest by police is long-term confinement. Prisons serve as the inhumane dumping grounds for relative surplus populations from which industry can exploit their captivity to extract value, not just as laborers, but as consumers of overpriced goods and services, such as toiletries, phone calls, and around-the-clock lighting (Gilmore 2007). Since the early 2000s, the population of incarcerated people in the U.S. has not dipped below two million (Kaeble and Cowhig 2018). Prisons are not mechanisms for rehabilitation or incapacitation, but rather isolationist chambers of perpetual violence. They do not allow for people to adequately address harm they may have caused, disempowering communities to collectively solve problems in context and support survivors (Sered 2019). Instead, prisons swallow up eons of cumulative life years³ of society’s most abandoned populations through

³ Ernest Drucker employs an epidemiological tool, Years of Life Lost (YLL), to quantify the years of life people lost by being in prison. He found, for example, that between 1973 and 2008, 368,000 years of life were lost to incarceration due to the introduction of the Rockefeller Drug Laws in New York State [2011].

confinement in wretched conditions of squalor and abuse. Prisons are necessary for maintaining the legitimacy of police because they allow for police to displace social problems instead of solving them (Gilmore 2007). Alternatives to imprisonment, such as ankle monitors, house arrest, and extended probation employ comparable tactics of coercion and societal exclusion, giving them the label “prison by any other name” (Schenwar and Law 2020). Following incarceration, collateral consequences restrict access to employment, voting, public benefits, education, and other forms of participation in normal life (Mauer and Chesney-Lind 2002).

C. Asset Seizure

In addition to fines, police frequently extract wealth from the most marginalized people through civil asset forfeiture laws. These laws allow law enforcement to take ownership over any property they suspect of being involved in a crime, including cash, cars, and homes. Personal benefit and loose legal requirements incentivize officers to apply their seizure rights liberally. In Philadelphia, for instance, entire homes are “routinely seized for unproved minor drug crimes, often involving children or grandchildren who don’t own the home,” overwhelmingly impacting Black and Hispanic families (Stillman 2013).

Because cash is seen as the “lifeblood” of criminal activity and is easy for police to transport and spend, it is the most common type of asset forfeiture. In 2018 alone, 42 states, D.C., and the federal government seized \$3 billion in assets, two thirds of which were cash (Knepper et al. 2020). Most of this money came from small-scale forfeitures, with an average value of \$1,276 across the 21 states with available data (Knepper et al. 2020). Police frequently assume that the mere presence of cash on a person is an indication of criminal activity, leading them to seize it with little to no substantive evidence of criminal activity (O’Harrow, Sallah, and

Rich 2014). In effect, asset forfeiture practices criminalize carrying cash which disproportionately impacts “unbanked” and “underbanked” populations such as low-income, Black, Hispanic, and disabled people (Knepper et al. 2020). Victims usually have limited legal recourse because hiring a lawyer is often more expensive than the amount of money lost, and police face a low legal standard for proving their right to the assets.

D. Pervasive Presence

The core police functions of state-sanctioned physical violence, detention, and asset seizure facilitate the police’s violent and central role in the lives of marginalized people, trapping individuals in patterns of punishment and communities in a state of everyday domestic warfare. In his ethnography “Punished,” Victor Rios (2011, xv; 21) shadowed and interviewed 40 Black and Latino teenagers for three years in Oakland to describe how criminalization was a “central, pervasive, and ubiquitous phenomenon,” which, at the hands of the police (and other authorities), maintained “an ironclad grip on [the] everyday lives” of the young people he studied.

Constant police surveillance and abuse inflict shame and stigmatization on marginalized people from an early age. Rios (2011) describes how, mirroring the experience of many others, one of his interlocutors was handcuffed for the first time at eight years old and beaten at twelve, which led to being branded as “criminal,” “at-risk,” and “delinquent,” by peers, police, and other authority figures within what Rios calls the “youth control complex.” This labeling helps fuel cycles of punishment in which people’s lives are dictated by the conditions of probation, incarceration, and other forms of hyper-surveillance over minor violations that compound over time. As Rios (2011, 45) notes, “when a young person is on probation, he is left with few rights; he can be stopped and searched for no reason, and he can be arrested for noncriminal

transgressions such as hanging out with his friends or walking in the wrong part of the neighborhood.” Police can add those they deem troublemakers to gang databases “just in case” (not because of actual gang affiliation), which can increase potential prison sentences by decades (Rios 2011, 62). One boy describes daily life under authoritative surveillance as “having a zookeeper watching us at all times” (Rios 2011, 82).

To avoid constant suspicion and perpetual punishment, some targeted youths attempt to “act lawful” by changing their behavior to assimilate into dominant cultures and submitting to authority, even when they felt their rights were being violated. Not only did this strategy require compromising their autonomy and individuality, but the young people “acting lawfully” were still criminalized by authority and resented by peers for participating in the system that oppressed them (Rios 2011, 146-147). Ultimately, constant police overreach led many to lose faith in and resist the system, expressed through acts of deviance and cultures of resilience.

The relentless targeting of marginalized people from an early age is not unique to Oakland; it is but one component of the vast project of contemporary policing. In a report to the United Nations Committee Against Torture, the Chicago-based grassroots organization We Charge Genocide (2014, 4) (WCG) describes the “cruel and degrading treatment of Chicago’s youth of color [which] serves to silence, traumatize, and control entire communities.” Drawing from archival and testimonial analysis, the group reports that police violence “creates a climate where youth of color feel unsafe and learn that they always are suspects and that their lives are not valued in the eyes of the state” (We Charge Genocide 2014, 4). Ethnic studies scholar Dylan Rodriguez (2021, 148) highlights the importance of the WCG report for “addressing a climate of comprehensive, systemic vulnerability to everyday, normally functioning, non-scandalous racist state violence.” Rodriguez (2021, 148) claims that by treating violence as the norm, rather than

the exception in policing, the report challenges the notion that “policing is somehow separable from its systemic practices,” and can therefore be reformed or corrected.

V. The Role of Police Unions

The institutional assessment of police in the previous sections informs the following examination of police unions. As a consolidation of police power, police unions have drawn considerable criticism for exacerbating contemporary police issues. As unions, police unions increase the bargaining power of their members, which gives an already powerful job even more economic and political sway. Many criticisms recognize this but interpret the power of police unions with a focus on the individual violence of police. My assessment of police unions accounts for the institutional violence of police, which allows for a broader understanding of how police unions contribute to the harms of policing.

In this section, I review typical critiques of police unions which focus on reform, accountability, and incidents of misconduct. Because these understandings largely leave the institutional violence of police unaddressed, they often target collective bargaining procedures as the main issue of police unions, thereby potentially strengthening arguments against other unions and overlooking the broader impacts of increased police power. I address these limitations by reconceptualizing the harm of police unions as a contributor to the expansion of policing. This assessment informs (and is enhanced by) my empirical analysis, in which I evaluate the impacts of collective bargaining rights on law enforcement budgets in Florida.

A. Background

Police officers belong to a range of organizations that exercise collective membership power to represent their interests. I use the term “union” to refer to such organizations, though some are called benevolent associations, local federations and lodges, and protective leagues and have slight differences with actual police unions in their functions and membership (Fisk and Song 2017). The primary function of police unions is to engage in collective bargaining with local government to advocate for the interests of members, typically in regard to wages, benefits, hours, and other working conditions such as hiring, promotion, and disciplinary procedures (Rushin 2017). Police unions also represent the interests of their members through advocacy in electoral politics, litigation, and media (Fisk and Song 2017). For instance, police unions endorse political candidates that they believe will enact favorable policies, challenge local governments in court over infringements on their collective bargaining agreements, and speak out against police budget cuts in the news.

Police unions first emerged during the early 20th century due to poor working conditions but were not very common and often condemned, as police strikes were associated with a risk to public safety. As policing drew more public scrutiny during the Civil Rights Movement, police reacted by forming and expanding unions to fortify the institution (Walker 2008). Now, police are among the most densely unionized employees in the U.S. Roughly 66 percent of police officers have collective bargaining rights (Reaves 2011), compared to a unionization rate of 35 percent for all public-sector workers (which includes police) and only 6 percent for private-sector workers (Bureau of Labor Statistics 2021). High membership rates, paired with the underlying power in the role of police, have made police unions a particularly strong force in U.S. politics and culture (Scheiber, Stockman, and Goodman 2021).

B. Common Critiques

In the aftermath of police killings, media narratives repeatedly point to police unions as a primary obstacle to reform and accountability (New York Times Editorial Board 2016; Chabria 2020; Greenhouse 2020). Thanks to favorable contracts negotiated by police unions that determine the conditions of employment, police officers are well protected from substantial consequences for misconduct. A study of 178 union contracts across the U.S. found that a “substantial number of these agreements limit officer interrogations after alleged misconduct, mandate the destruction of disciplinary records, ban civilian oversight, prevent anonymous civilian complaints, indemnify officers in the event of civil suits, and limit the length of internal investigations” (Rushin 2017, 1192). A Reuters investigation of 82 police union contracts in large U.S. cities revealed similar results (Levinson 2017). The Chicago Police Accountability Task Force (2016) found that “the collective bargaining agreements between the police unions and the City have essentially turned the code of silence into official policy.” Given the hurdles these contracts create toward accountability, police unions are seen by some as “key to understanding why officers across the country escape discipline time and again after beating or killing people” (Michaels 2020).

Scholars and popular media identify police unions as significant obstacles to some police reforms that would go beyond individual accountability efforts [McCormick 2015; Fisk and Song 2017; Scheiber, Stockman, and Goodman 2021]. A review of 17 federal consent decrees, which are a tool of the Department of Justice to compel cities to reform police departments due to a documentation of civil rights abuses, found that “police unions watered down measures that contradicted their contracts, or they launched legal challenges that, even when unsuccessful, delayed implementation” of police reforms (Emmanuel 2016). Following protests in the wake of

George Floyd's death, Minneapolis Mayor Jacob Frey described police union contracts as a "nearly impenetrable barrier" to reform (The Daily 2020). Police unions have also drawn scrutiny as a powerful force in lobbying against police reform efforts. Between New York City, Los Angeles, and Chicago, police unions have spent \$87 million on influencing law enforcement policy and preventing reform efforts over the past two decades and another \$47 million at the federal level in recent election cycles (Perkins 2020).

The relationship between police unions and instances of police violence is a less popular topic in the media and among politicians than the previous critiques of police unions but has become a subject of academic interest in recent years. One study found that the introduction of collective bargaining rights led to a 40% increase in violent incidents of misconduct among Florida sheriffs' offices (Dharmapala, McAdams, and Rappaport 2019). Another study found that collective bargaining rights increased police killings of disproportionately non-white civilians and did not result in higher officer safety [a common justification for the stronger job protections offered by police union contracts] (Cunningham, Feir, and Gillezeau 2021).

C. Limitations of Common Critiques

While helpful in identifying specific roadblocks to diminishing police power, the previous critiques are often framed as a problem of unions rather than a problem of police. This framing sees police unions as exceptional among other unions, and therefore in need of reform. Indeed, other unions do not shield members from consequences for killing someone, for instance. However, police unions are different not because of their peculiarity as unions, but rather the distinctiveness of their members. In this section, I explore both the limitations of exceptionalizing police unions as unions and of disregarding the fundamental violence of police.

1. Problematic Critique of Unions

Many police union critiques risk bolstering anti-labor arguments by treating the harmful consequences of police union power mainly as an issue of unions. These assessments suggest restricting the collective bargaining of police unions due to an excess of otherwise legitimate police power. Rushin (2017) has proposed incorporating public and interest group input into the collective bargaining process. Others have suggested limiting police union negotiations to wages and hours, leaving out disciplinary procedures (Boston Globe Editorial Board 2020). By focusing on police unions mainly as an issue of exaggerated union power, there is a risk of anti-union rhetoric and tools transferring to unions in other sectors (Jamieson 2020). As legal scholar Benjamin Levin (2020, 1359) lays out, critiques of police unions as obstructors of reform and accountability efforts are often difficult to distinguish from critiques of labor unions at large: “the ‘obstruction’ at the heart of the critiques is central to the function of unions. That is, the duty of fair representation speaks the language of obstruction—it is the union’s job to represent and protect the rights of its members.”

Police unions obstruct accountability and reforms through contract language that provides strong workplace protections as well as by advancing broader political goals that are aligned with the members’ interests, fundamental characteristics of any union. Most labor unions do not have special measures in place to protect workers from discipline after they have killed someone as a result of their work. However, state-authorized violence is central to the job of a police officer. Therefore, the regulation of violence can be collectively bargained for as a work condition. This includes, for instance, lenient arbitration policies that encourage appeals processes and allow officers to look at footage of misconduct allegations they were involved in before being

questioned. Though these policies make it significantly harder for officers to face consequences for misconduct, that is precisely the point of workplace protections; they give officers more freedom in their work while maintaining job security.

When critically addressing the bargaining power of police unions, some focus on curtailing certain collective bargaining practices, a stance that risks diminishing broader worker power. Others have been hesitant to critique police unions at all for fear of weakening the entire labor movement (McQuarrie 2020). Both approaches are limited because they either fail to address the issues of police unions entirely, or they risk weakening the labor movement and overlook the underlying issues of the police.

2. Narrow Analysis of Police Violence

Police unions often draw condemnation for increasing the violence of individual police officers, but critiques of police unions that are not centered in critiques of police miss how police unions only exacerbate the fundamental violence of policing. Particularly obstructive police unions are often painted as rogue or out of step with the true values of police departments. However, given the previous analysis of police as an institution of violence, police unions that hamper certain accountability and reform efforts can be understood as rational extensions of policing, as far as they facilitate the violence of police officers. As a measure of collective police power, police unions serve as a direct indictment of the structural violence of policing.

Public opinion of police unions has not reckoned with this understanding. In a poll conducted during the Black Lives Matter protests in the summer of 2020, 56% of Americans supported eliminating police unions, but only 15% supported abolishing police departments (Crabtree 2020). Though eliminating police unions would weaken police protections, “restricting

organizing and bargaining rights simply becomes a second-order mechanism for regulating the first-order problem (i.e., violence)” that stands at the center of policing (Levin 2020, 1372). Therefore, efforts to address police union power that do not recognize police as a fundamentally violent institution may attempt to “fix,” (and therefore relegitimize and expand) policing rather than reduce it. For instance, some have proposed implementing “rank-and-file” or “minority unionism” structures within police unions to increase workplace democracy (Sklansky 2007; Fisk and Richardson 2017). While these reforms may reduce obstacles to individual accountability, they ultimately enhance police union power, which strengthens the institution, and therefore violence, of the police.

Even proposals that *do* reduce police union power but do not recognize the underlying violence of the job focus on the “exceptional,” rather than everyday violence of policing. When such police union reforms are implemented, proponents may claim victory, but the underlying structure of policing remains intact. For example, some find the deletion of disciplinary records to be a key problem with police union power. However, police are usually not disciplined for doing their job. Therefore, disciplinary records will not show the everyday harm that police are hired, trained, and paid to do, whether the records are routinely destroyed as a condition of a collective bargaining agreement or not. Improving opaque misconduct investigation procedures, which police unions have fought to protect, would potentially increase consequences for individual officers that kill unarmed civilians and carry out other acts of violence deemed egregious by the general public. However, such a narrow focus fails to address the routine surveillance, harassment, arrest, and killing of marginalized people that is not labeled “misconduct” because it constitutes the fundamental job of policing.

Critiques that focus specifically on increased incidents of violence due to unionization get closer to addressing the violence of policing, but typically do not utilize a framework that recognizes the fundamental violence of the institution. For instance, Cunningham, Feir, and Gillezeau (2021) determined that collective bargaining led to the increased killing of non-white civilians. They hypothesized that collective bargaining rights may “shift the marginal decision to shoot in a difficult situation” by providing more officer protections (Cunningham, Feir, and Gillezeau 2021, 30). Cunningham, Feir, and Gillezeau (2021) suggest this could lead to an increased discriminatory use of force by officers who may already have been more likely to use violence against Black and Indigenous people. While this may be true, this framing still focuses on how unionization compounds the individual, rather than institutional, violence of police. Police union power is rightfully deemed an obstacle to reducing police violence, but a comprehensive understanding of police violence is necessary to meaningfully reduce police union power.

D. Reframing Police Union Harm

A more thorough analysis of the harm of police unions recognizes the fundamental violence of police while avoiding arguments that could potentially weaken the labor movement. This assessment begins with the assumption that police unions are objectionable, not because of their collective bargaining power per se, but because they represent a consolidation of the “otherwise- or already-illegitimate power” of police (Levin 2020, 1388). This analysis does not jeopardize the labor movement at large because it targets underlying issues of police, which unionization only exacerbates.

Some in the labor movement have already employed this analysis to varying degrees, noting the contradiction of police and the goals of unionization (Gude 2014). In August 2020, Seattle's largest labor council voted to expel the Seattle Police Officers Guild for a failure to reckon with institutional racism (Takahama 2020). The California Labor Federation (2020) used even stronger language in resolving to disassociate from police and border patrol unions for perpetuating "oppression, authoritarianism, and cruelty." Though the AFL-CIO is still affiliated with the International Union of Police Associations, it has faced increased calls from various unions around the country to separate (Cunningham-Cook 2020). The Industrial Workers of the World (2021), a marginal but historically significant union with broad membership permissions and the expressed aim "to build world-wide working-class solidarity," has long barred law enforcement officers from joining. Writer Kristian Williams (2015, 223) finds that police unions do not even count as legitimate labor unions because police are "part of the managerial machinery of capitalism" and the agendas of their unions "mostly reflect the interests of the institution (the police department) rather than those of the working class." Organizer and reporter Kim Kelly (2020) advocates for abolishing police unions entirely "as part of the broader fight to defund, demilitarize, and ultimately dismantle the U.S. police force as it currently exists."

I build upon this critical angle to form a more comprehensive understanding of how police unions contribute to police violence. By examining police unions through a fundamental assessment of violent police control, accountability processes and technocratic restructuring should no longer be the primary measures of police union harm. Having established policing as an institution of violence, police unions should be understood as causing harm primarily by strengthening the institution of the police. Drawing from Critical Resistance (2021), an organization dedicated to abolishing the prison-industrial complex, steps to address police

violence are most effective when they weaken the institution itself, such as through reducing funding, challenging the notion that police create safety, reducing the tools, tactics, and technologies that police have at their disposal, and reducing the overall scale of policing. These tactics are most effective in reducing police violence because they target the underlying mechanics that allow police to operate.

By recognizing these mechanics as the root of police violence, this analysis can be applied to police unions: the violence of police is most notably expanded when police unions strengthen the police institution itself by increasing funding, reinforcing the notion that police create safety, increasing the tools, tactics, and technologies that police have at their disposal, and increasing the overall scale of policing. Though police unions contribute to each of these processes through their increased collective bargaining power and political influence, increased funding provides a clear example of the institutional fortification of police. This issue is taken up in the next section.

VI. The Impact of Police Unions on Police Budgets

Police budgets have become a primary target for activists seeking to reduce, rather than reshape, policing. Police budgets closely reflect the harm of policing because they fund the underlying violence of the tools, training, and activity of police officers. Increasing police budgets equips a violent institution with more power, leading to increased reliance upon harmful solutions to social problems and less money invested into life-affirming systems within communities. It is within this context that I assess the impact of police unions on police budgets. By empirically estimating the extent to which police unions contribute to increases in police

budgets, I reframe the argument and refine the struggle against police unions within the broader context of police disinvestment and the horizon of abolition.

There is a general public recognition of the association between police unions and police budgets, but not much scholarship on the matter. Amidst calls to defund the police over the summer of 2020, police union leadership across the U.S. spoke out to oppose police department budget cuts. Following police budget cuts in New York City, the Police Benevolent Association president claimed the mayor and city council had “surrendered the city to lawlessness” (Pereira 2015). After police budget cuts in Austin, the Texas Municipal Police Association erected a billboard outside the city that read “Warning! Austin Police Defunded Enter at Your Own Risk!” (Vera 2020).

These spectacles have drawn attention to the relationship between police unions and police budgets, but the specific impacts of that relationship have not received much scholarly attention. A 2008 assessment of police unions found that there has been almost no research on the impacts of police unions on city or county finances (Walker 2008). Some have studied the association between police unions and salaries, finding that officer starting salaries were 38% higher in departments with collective bargaining than in departments without it (Reaves 2011). However, salaries alone do not account for the full budgetary impacts of police departments, which may include officer health and life insurance, pensions, sick leave, and other benefits, as well as police equipment, training, facilities, vehicles, and other various expenditures.

A. Empirical Model

To estimate the effects of police unions on police budgets, I adapted an empirical model from Dharmapala, McAdams, and Rappaport (2019) which employed a fixed-effects Poisson

regression analysis to determine whether collective bargaining rights led to an increase in police violence. Because I am using a continuous data series, I do not use a Poisson method of regression analysis, which would require count data. Fixed-effects analysis allows me to measure variation within individual jurisdictions that occurs over time while controlling for factors within those jurisdictions that are fixed over time. For instance, I can measure the change in the law enforcement budget of a given jurisdiction over time while controlling for unique factors of that jurisdiction that remain unchanged, such as geographic location.

My model makes use of the 2003 Florida Supreme Court decision *Coastal Florida Police Benevolent Association v. Williams* (“*Williams*”), which introduced collective bargaining rights for the first time for Florida sheriffs’ deputies. Florida municipal police officers serve as the control group in this study because they already had the right to collectively bargain prior to 2003. The *Williams* decision acts as a source of exogenous variation, allowing a more precise determination of the causal influence of collective bargaining rights on law enforcement budgets than other empirical strategies which could have introduced more endogenous variation.

I empirically explore the impact of bargaining rights, rather than unionization itself for two main reasons. First, unionization is more likely to introduce endogenous variation than the universal legal conferral of collective bargaining rights. For example, police departments may decide to unionize *because* they have become more politically powerful, which could simultaneously affect police budget funding. Second, collective bargaining rights represent the ability to collectively leverage power to the members’ advantage, and this creates a “threat” effect that may result in increases to police bargaining power in contract negotiations, regardless of whether or not a union has been formed.

My estimated model is:

$$Y_{jt} = \beta_0 + \beta_1(\text{time}) + \beta_2(\text{jurisdiction}) + \beta_3(\text{post}_t * \text{j}dum_j) + \beta_4(X_{jt}) + \epsilon_{jt}$$

where Y_{jt} represents either the natural log of inflation-adjusted law enforcement expenditures in jurisdiction j and year t (Model 1) or the law enforcement expenditures as a portion of a jurisdiction's total budget in jurisdiction j and year t (Model 2). The coefficient β_0 represents the constant term, β_1 represents the time fixed effect (in years), β_2 represents the jurisdiction fixed effect, β_3 is the coefficient on the interaction term, where post_t is equal to 0 for every year t prior to the *Williams* decision (1997-2002) and 1 for every year t post-*Williams*. Post-*Williams* includes 2003, the year of the decision, which was made in January of that year. $\text{j}dum_j$ is 0 if jurisdiction j is a municipality and 1 if j is a county, β_4 is a vector of control variables that vary over time and/or place, and ϵ_{jt} is the residual in jurisdiction j and year t .

I used the law enforcement expenditures of a jurisdiction as my primary dependent variable. Though changes in the amount of money dedicated to law enforcement would indicate an expansion or retraction of policing, I also look at changes in the proportion of a jurisdiction's budget dedicated to law enforcement to analyze changes in budget priorities. I hypothesize that both police budget proportion and police budgets increase after the introduction of collective bargaining rights due to the increased strength of the police as a political and economic actor. I control for other factors that influence law enforcement budgets or shares of total budgets, including jurisdiction and the remaining control variables. The time variable captures the effect of other factors that may have influenced law enforcement budgets not captured by the remaining independent variables.

For control variables, I used population, unemployment rates, Hispanic share of the resident population, Black share of the resident population, and arrest rates, all measured at the county-year level except for arrests, which are measured at the jurisdiction-year level. Population

reflects changes in the size of the citizenry, which is hypothesized to positively affect the size of law enforcement budgets. Unemployment rate accounts for local economic conditions, serving as a proxy for potential criminal behavior, which could cause law enforcement budgets to rise. The coefficient on this variable is thus expected to be positive. Arrests indicate the level of law enforcement activity in a given jurisdiction. Its coefficient is expected to be positive based on the assumption that law enforcement (and, by proxy, criminal) activity serves as reason to increase law enforcement spending. The Hispanic and Black shares of the population are meant to account for changes in demographic characteristics of a jurisdiction that may lead to increases or reductions in police budgets, depending on perceptions of racial threat or familiarity. Their coefficients are hypothesized to be positive, indicating that law enforcement spending positively correlates with increases in Black and Hispanic shares of the population for the purposes of controlling those populations, as discussed in the earlier police analysis.

B. Data

Initially, I submitted public records requests for budget data from cities and counties across Florida. There were several challenges with this method of data collection, as it involved sending emails and submitting forms to a significant number of local governments, many of which either did not have the requested files or would have required substantial public records request fees.

I then found a centralized database of comprehensive budgets at the Florida Department of Financial Services (2021) Local Government Financial Reporting with data on the 58 counties and 268 municipalities of interest between 1997 and 2010, the time range of my study. Excluded from the jurisdictions are the 9 counties that had collective bargaining rights for their sheriffs’

deputies prior to the *Williams* decision (Broward, Charlotte, Escambia, Flagler, Jacksonville, Miami-Dade, Monroe, Nassau, and Volusia) as well as any municipality that did not have budget data for at least one year pre- and one year post-*Williams* or the appropriate control variables in the Dharmapala, McAdams, and Rappaport (2019) dataset. After formatting the data and compiling them into a single file, I had variables indicating the jurisdiction type (municipality/county), the name of the jurisdiction, the year, the total expenditures of that jurisdiction year, and the law enforcement expenditures of that jurisdiction year.

I then generated two alternative dependent variables: 1) the natural log of inflation-adjusted law enforcement budgets (in chained 2012 dollars) and 2) law enforcement expenditures as a share of total expenditures, representing the proportion of a given jurisdiction year's total budget that was dedicated toward law enforcement. Using real dollars more accurately represents law enforcement expenditures over time than nominal dollars by deflating budget changes that are a result of inflation, rather than spending priorities. The natural log is used to be able to interpret the coefficient as a percentage change in law enforcement expenditures.

Model (1) gives a direct measure of the impacts of collective bargaining on real law enforcement expenditures. In Model (2), the law enforcement budget share may vary if either the numerator (law enforcement expenditures) or the denominator (total jurisdiction expenditures) changes. This will indicate how law enforcement spending changes in comparison to total spending but does not isolate the effects of collective bargaining on changes in law enforcement expenditures.

To create the interaction term, my variable of interest in the regressions, I generated the *post* variable which contained 1 for every observation with a year equal to or greater than 2003 to represent the post-*Williams* decision on collective bargaining rights for sheriffs' offices. I then

multiplied *post* by the jurisdiction dummy variable, in which municipalities equal 0 and counties (those affected by the *Williams* decision) equal 1. Thus, my interaction term had a value of 1 for every entry that was a county during or after 2003, and 0 for every other jurisdiction year combination.

C. Results

Table 2 presents the results of Model (1) for the years 1997-2010 where the dependent variable is the natural log of real annual law enforcement expenditures. The regressions were run with robust standard errors to account for variation of standard errors across jurisdictions. The coefficient on the interaction between a post-*Williams* dummy and a county dummy is the variable of interest. The results indicate that after the *Williams* decision, sheriffs' budgets increased by 29.5% (at the 99% level), holding all other independent variables constant.

The natural log of the resident population had a positive coefficient of 0.519 (at 95% significance), indicating a positive correlation between changes in population size and changes in law enforcement expenditures, as predicted. The Hispanic share of the population had a positive coefficient of 3.708 (at 99% significance), indicating a strong positive correlation between the Hispanic share of a jurisdiction's population and change in law enforcement expenditures. The Black share of the population had a positive coefficient of 1.849 (at 90% significance), indicating a positive correlation between the Black share of a jurisdiction's population and change in law enforcement expenditures. The results of these two demographic control variables are consistent with the argument that a higher Hispanic and Black share of the population is perceived as a "threat" needing to be controlled, thus driving higher law enforcement expenditures. The natural log of arrests had a positive coefficient of 0.033 (at 90% significance), indicating a positive

correlation between change in arrests and change in law enforcement expenditures, which is consistent with the argument that increased police activity would result in rising police budgets. The coefficient of the unemployment rate was positive as hypothesized but not statistically significant.

In Model (2), the dependent variable is law enforcement expenditures as a proportion of total jurisdiction budgets. The interaction between a post-*Williams* dummy and a county dummy serves as the variable of interest. The results indicate that after the *Williams* decision, the proportion of sheriffs' budgets of total jurisdiction expenditures increased by 1.3% (at the 99% level), holding all other independent variables constant. This indicates that sheriffs' budgets increased at a greater rate than other budget items (or because overall spending fell).

The unemployment rate had a positive coefficient of 0.002 (at 99% significance), indicating a positive, but small effect of unemployment rate on the law enforcement share of total jurisdiction expenditures. This is consistent with the hypothesis that higher unemployment rates are consistent with a perception of a greater potential for criminal activity, leading to higher spending on law enforcement as a share of total public sector spending. The Hispanic share of the population had a negative coefficient of -0.255 (at the 99% significance level), indicating that a 1 percent increase in the Hispanic share of the population led to a 0.26 percent decline in sheriffs' budgets as a share of total spending. The negative coefficient is not consistent with a hypothesis that a rising Hispanic share of the population elicits a sense of "threat" by members of the dominant racial group, leading to higher expenditures.

It should be noted, however, that the dependent variable may fall due to increases in spending on non-police areas so this result should be viewed with some caution. For example, police spending may rise with the growth of the Hispanic share of the population, as

demonstrated in the results of Model (1), but spending on other budget items such as transportation and communications infrastructure may rise even more.

The coefficients on arrests and Black share of the population were positive as hypothesized but not statistically significant. The coefficient on the natural log of the population was negative, which is not consistent with the hypothesis that increased population would lead to higher proportions of law enforcement spending, but the coefficient was not statistically significant.

These results support the hypothesis that collective bargaining had a positive significant impact on law enforcement departments' ability to expand their budgets, both independently and in relation to their respective jurisdiction's total budgets. The coefficients on the Hispanic and Black shares of the population in Model (1) are also of note. The high positive coefficients supports earlier analyses of police as a minority-targeting force by indicating a strong correlation between changes in police spending and the Hispanic and Black shares of the population. However, the negative coefficient on the Hispanic share of the population in Model (2) defies my empirical expectations, suggesting a negative correlation between the Hispanic share of a population and the law enforcement proportion of a jurisdiction's total budget.

D. Limitations of the Empirical Analysis

A limitation to this analysis is that my control variables accounting for population, racial demographics, and unemployment rates were measured at the county-year level rather than the jurisdiction-year level. Therefore, municipality characteristics and changes could not be entirely accurately captured through county data in which the municipalities resided. Also, unemployment and demographic data were not available at a smaller level than counties other

than the largest cities, and though municipality-level populations were available from census data, they were not included in the Dharmapala, McAdams, and Rappaport (2019) dataset.

Arrests were used as an independent variable in this analysis, but arrests may not be exogenous to police budgets. For instance, higher police budgets may have led to more arrests. Though they were intended to control for police activity, and thus a potential for budget fluctuations, police budgets may not be tied to the actual conditions of crime in a given jurisdiction. As highlighted in sections II.B, and III.B., crime rates and stories are often manipulated to justify more spending on punishment. Relatedly, arrest rates are self-reported by law enforcement agencies. Not only are data collection models frequently antiquated, but police agencies can be motivated to deflate or inflate how data are collected and reported to advance political interests (Prison Legal News 2013; Asher and Horwitz 2020). Additionally, I am missing several arrest observations because the Dharmapala, McAdams, and Rappaport (2019) dataset did not contain some of the municipalities in my own dataset. I was unable to access the appropriate arrest data from the original source of the borrowed dataset.

VII. Conclusion

This thesis contextualizes the power of police unions within the staggering scale of police violence. Many criticize how police unions shield officers from accountability and block efforts to reform policing. Others note how unionization leads to more frequent police killings and incidents of violent misconduct. These assessments typically provide a narrow view of how police unions facilitate the violence of police. By interpreting the institution of police as fundamentally violent, I assess how police unions contribute to violence by expanding policing, as measured by police budgets. My empirical analysis of Florida law enforcement budgets

showed that collective bargaining rights led to a 29.5 percent increase in law enforcement expenditures and a 1.3 percent increase in the share of law enforcement expenditures in total jurisdiction budgets.

Despite legal protection from his police union, former Minneapolis Police officer Derek Chauvin was eventually convicted of murdering George Floyd. To some, the permeability of his legal defense and the support for his conviction from other police unions may be evidence that police unions (and, more generally, police) can be redeemed. A thorough assessment of police violence understands, however, that George Floyd's death was the logical outcome of centuries of investment into punitive systems built on anti-Blackness. Though the police union of the New York Police Department claims "what Derek Chauvin did that day was not policing. It was murder" (Ongweso Jr. 2021), the union fails to recognize it was both. Police unions failed to protect Chauvin from conviction, but in doing so, they relegitimized the institution that allowed George Floyd to be murdered in the first place. With the guilty verdict, politicians have felt less pressure to address the systemic issues of police and Chauvin is treated as an exception to the violence of policing (Treene and Goba 2021). As communities continue to address police violence at its core by attempting to defund police departments, they will have to consider how police unions expand the police institution, especially through the increase in police budgets.

References

- ACLU. 2020. "A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform." <https://www.aclu.org/report/tale-two-countries-racially-targeted-arrests-era-marijuana-reform>
- Akbar, Amna A. 2020. "An Abolitionist Horizon for (Police) Reform." *California Law Review* 108 (6).
- Alexander, Michelle. 2012. *The New Jim Crow*. The New Press.
- Alliance, Drug Policy. 2017. "Marijuana Facts." https://drugpolicy.org/sites/default/files/dpa_marijuana_booklet_january2018_0.pdf
- Asher, Jeff, and Benjamin Horwitz. 2020. "Murder Rates have Increased, But Reporting on Crime Data is Still Woefully Out of Date." <https://www.usatoday.com/story/opinion/policing/2020/12/29/murder-rates-increased-but-crime-data-woefully-behind-column/4059583001>
- Baum, Dan. 2016. "Legalize It All: How to Win the War on Drugs." *Harper's Magazine* (April).
- Blackmon, Douglas A. 2008. *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*. Anchor Books.
- Boston Globe Editorial Board. 2020. "Don't Let Labor Agreements Thwart Police Accountability." *The Boston Globe*. <https://www.bostonglobe.com/2020/06/04/opinion/dont-let-labor-agreements-thwart-police-accountability>
- Buchanan, Larry, Quoc Trung Bui, and Jugal K. Patel. 2020. "Black Lives Matter May Be the Largest Movement in U.S. History." *New York Times*. <https://www.nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html>
- Bureau of Labor Statistics, 2021, "Union Members -- 2020," <https://www.bls.gov/news.release/union2.nr0.htm>
- California Labor Federation. 2020. "Resolution on Racial, Social, and Economic Justice." <https://calaborfed.org/wp-content/uploads/2020/08/Resolution-1-Racial-Justice-Resolution-Final.1.pdf>
- Chabria, Anita. 2020. "Stall tactics. Distractions. Lobbying. How police reform was derailed in California." *Los Angeles Times*. <https://www.latimes.com/california/story/2020-09-02/california-police-reform-bills-derailed>

- Childs, Dennis. 2015. *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary*. University of Minnesota Press.
- Supreme Court of Florida. 2003. *Coastal Florida Police Benevolent Association Inc v. Williams*.
- Colebrook, Claire. 2020. "Fast Violence, Revolutionary Violence: Black Lives Matter and the 2020 Pandemic." *Journal of Bioethical Inquiry* 17 (4): 495-499.
- Crabtree, Steve. 2020. "Most Americans Say Policing Needs 'Major Changes'." Gallup. <https://news.gallup.com/poll/315962/americans-say-policing-needs-major-changes.aspx>
- Critical Resistance. 2021. "Abolish Policing." <http://criticalresistance.org/abolish-policing>
- Cunningham, Jamein, Donna Feir, and Rob Gillezeau. 2021. "Collective Bargaining Rights, Policing, and Civilian Deaths." IZA Discussion Papers No. 14208.
- Cunningham-Cook, Matthew. 2020. "The AFL-CIO's Police Union Problem Is Bigger Than You Think." The Intercept. <https://theintercept.com/2020/06/18/afl-cio-police-labor-union>
- The Daily. 2020. "The Mayor of Minneapolis." *The New York Times*. June 3. <https://www.nytimes.com/2020/06/03/podcasts/the-daily/jacob-frey-george-floyd-protests-minneapolis.html>
- Dharmapala, Dhammika, Richard H. McAdams, and John Rappaport. 2019. "Collective Bargaining and Police Misconduct: Evidence from Florida." University of Chicago Coase-Sandor Institute for Law & Economics Research Paper No. 831
- Drucker, Ernest M. 2011. *A Plague of Prisons: The Epidemiology of Mass Incarceration in America*. New Press
- Dunbar-Ortiz, Roxanne, and Dina Gilio-Whitaker. 2017. "What's Behind the Myth of Native American Alcoholism?" Pacific Standard. <https://psmag.com/news/whats-behind-the-myth-of-native-american-alcoholism>
- Emmanuel, Adeshina. 2016. "How Union Contracts Shield Departments from DOJ Reforms." *In These Times*. <https://inthesetimes.com/features/police-killings-union-contracts.html>
- Equal Justice Initiative. "Death Penalty." <https://eji.org/issues/death-penalty/>
- Ewald, Alec C. 2002. "'Civil death': The Ideological Paradox of Criminal Disenfranchisement Law in the United States." *Wisconsin Law Review* 2002 (5): 1045.
- Feldman, Justin. 2020. "Police Killings in the US: Inequalities by Race/Ethnicity and Socioeconomic Position." People's Policy Project.
- Fisk, Catherine L., and L. Song Richardson. 2017. "Police Unions." *The George Washington*

Law Review 85 (3): 712.

Florida Department of Financial Services. 2021. "Local Government Financial Reporting."
<https://www.myfloridacfo.com/Division/AA/LocalGovernments/default.htm>

Foucault, Michel. 1995. *Discipline and Punish: The Birth of the Prison*. Vintage Books.

Garland, David. 2001. *The Culture of Control: Crime and Social Order in Contemporary Society*. University of Chicago Press.

Geller, Amanda, Jeffrey Fagan, Tom Tyler, and Bruce G. Link. 2014. "Aggressive Policing and the Mental Health of Young Urban Men." *American Journal of Public Health* 104 (12): 2321-2327.

Gilmore, Ruth Wilson. 2007. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. University of California Press.

Gilmore, Ruth Wilson, and Craig Gilmore. 2016. "Beyond Bratton." In *Policing the Planet: Why the Policing Crisis Led to Black Lives Matter*, edited by Jordan T. Camp and Christina Heatherton. 173-199. Verso.

Go, Julian. 2020. "The Imperial Origins of American Policing: Militarization and Imperial Feedback in the Early 20th Century." *American Journal of Sociology* 125 (5): 1193-1254.

Greenhouse, Steven. 2020. "How Police Unions Enable and Conceal Abuses of Power." *The New Yorker*. June.

Gude, Shawn. 2014. "The Bad Kind of Unionism." *Jacobin*.
<https://www.jacobinmag.com/2014/01/the-bad-kind-of-unionism/>

Hadden, Sally E. 2001. *Slave Patrols: Law and Violence in Virginia and the Carolinas*. Harvard University Press.

Hansen, Elise. 2017. "The Forgotten Minority in Police Shootings." *CNN*.
<https://www.cnn.com/2017/11/10/us/native-lives-matter/index.html>

Harring, Sidney L. 2017. *Policing a Class Society: The Experience of American Cities, 1865-1915*. Haymarket Books.

Harring, Sidney L., and Lorraine M. McMullin. 1975. "The Buffalo Police 1872—1900: Labor Unrest, Political Power and the Creation of the Police Institution." *Crime and Social Justice* (4): 5-14.

Hinton, Elizabeth. 2016. *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*. Harvard University Press.

- Hinton, Elizabeth, and DeAnza Cook. 2021. "The Mass Criminalization of Black Americans: A Historical Overview." *Annual Review of Criminology* 4 (1): 261-286.
- Industrial Workers of the World. 2021. "Preamble, Constitution, and General Bylaws of the Industrial Workers of the World." <https://iww.org/assets/iww-constitution.pdf>.
- Investigation, Federal Bureau of. 2019. "Percent of Offenses Cleared by Arrest or Exceptional Means." <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/table-25>
- James, Joy. 1996. *Resisting State Violence: Radicalism, Gender, and Race in U.S. Culture*. University of Minnesota Press.
- Jamieson, Dave. 2020. "The Labor Movement Faces A Reckoning Over Police Unions." HuffPost. https://www.huffpost.com/entry/the-labor-movement-faces-a-reckoning-over-police-unions_n_5eda9958c5b640424ef70cd2
- Kaeble, Danielle, and Mary Cowhig. 2018. "Correctional Populations in the United States, 2016." edited by U.S. Department of Justice.
- Karakatsanis, Alec. 2019. "The Punishment Bureaucracy: How to Think About "Criminal Justice Reform"." *Yale Law Journal Forum* 128. <https://www.yalelawjournal.org/forum/the-punishment-bureaucracy>
- Kelly, Kim. 2020. "We Must Sever Law Enforcement From the Labor Movement." The Nation. October. <https://www.thenation.com/article/society/labor-unions-police/>
- Kilgore, James. 2016. "Mass Incarceration Since 1492: Native American Encounters With Criminal Injustice." Truthout. <https://truthout.org/articles/mass-incarceration-since-1492-native-american-encounters-with-criminal-injustice/>
- Knepper, Lisa, Jennifer McDonald, Kathy Sanchez, and Elyse Smith Pohl. 2020. "Policing for Profit, The Abuse of Civil Asset Forfeiture." Institute for Justice. <https://ij.org/wp-content/themes/ijorg/images/pfp3/policing-for-profit-3-web.pdf>
- Kohler-Hausmann, Issa. 2018. *Misdemeanorland: Criminal Courts and Social Control in an Age of Broken Windows Policing*. Princeton University Press.
- Kushner, Rachel. 2019. "Is Prison Necessary? Ruth Wilson Gilmore Might Change Your Mind." New York Times. <https://www.nytimes.com/2019/04/17/magazine/prison-abolition-ruth-wilson-gilmore.html>
- Levin, Benjamin. 2020. "What's Wrong with Police Unions?" *Columbia Law Review* 120 (5): 1333-1402.
- Levinson, Reade. 2017. "Across the U.S., Police Contracts Shield Officers from Scrutiny and

- Discipline.” Reuters. <https://www.reuters.com/investigates/special-report/usa-police-unions/>
- Lopez, German. 2017. "The Benefits and Harms of Marijuana, Explained by the Most Thorough Research Review yet." Vox. <https://www.vox.com/science-and-health/2017/1/14/14263058/marijuana-benefits-harms-medical>.
- Lum, Kristian, and Patrick Ball. 2015. “Estimating Undocumented Homicides with Two Lists and List Dependence.” Human Rights Data Analysis Group. <https://hrdag.org/wp-content/uploads/2015/07/2015-hrdag-estimating-undoc-homicides.pdf>
- Mauer, Marc, and Meda Chesney-Lind. 2002. *Invisible Punishment: the Collateral Consequences of Mass Imprisonment*. The New Press.
- McCormick, Marcia L. 2015. "Our Uneasiness with Police Unions: Power and Voice for the Powerful." *Saint Louis University Public Law Review* 35 (1): 47-65.
- McQuarrie, Michael. 2020. “Attacking Police Unions Will Hurt the Whole Labor Movement.” Washington Post. June 11. <https://www.washingtonpost.com/outlook/2020/06/11/attacking-police-unions-will-hurt-whole-labor-movement/>
- Michaels, Samantha. 2020. “The Infuriating History of Why Police Unions Have So Much Power.” Mother Jones. <https://www.motherjones.com/crime-justice/2020/08/police-unions-minneapolis/>
- Mitrani, Sam. 2013. *The Rise of the Chicago Police Department: Class and Conflict, 1850-1894*. University of Illinois Press.
- Mogul, Joey L., Andrea J. Ritchie, and Kay Whitlock. 2011. *Queer (In)justice: The Criminalization of LGBT People in the United States*. Edited by Andrea J. Ritchie and Kay Whitlock. Beacon Press.
- Muhammad, Khalil Gibran. 2010. *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. Harvard University Press.
- Murakawa, Naomi. 2014. *The First Civil Right: How Liberals Built Prison America*. Oxford University Press.
- Natapoff, Alexandra. 2015. "Misdemeanors." *Annual Review of Law and Social Science* 11 (1): 255-267.
- National Association of Criminal Defense Lawyers. 2018. “The Trial Penalty: The Sixth Amendment Right to Trial on the Verge of Extinction and How to Save It.” <https://www.nacdl.org/Document/TrialPenaltySixthAmendmentRighttoTrialNearExtinct>

- Neocleous, Mark. 2021. *A Critical Theory of Police Power: The Fabrication of the Social Order*. Verso.
- New York Times Editorial Board. 2016. "When Police Unions Impede Justice." *The New York Times*. <https://www.nytimes.com/2016/09/04/opinion/sunday/when-police-unions-impede-justice.html>
- O'Hare, Méabh, Joshua Budhu, and Altaf Saadi. 2020. "Police Keep Using 'Excited Delirium' to Justify Brutality. It's Junk Science." Washington Post. July 17. https://www.washingtonpost.com/outlook/chokehold-police-excited-delirium/2020/07/17/fe907ec8-c6bc-11ea-b037-f9711f89ee46_story.html
- O'Toole, Megan J., and Rebecca Neusteter. 2019. "Arrest Trends." Vera Institute of Justice. <https://arresttrends.vera.org>
- Ongweso Jr., Edward. 2021. "Police Unions Want You to Think Derek Chauvin Is the Only Bad Cop." Vice. April 23. <https://www.vice.com/en/article/g5gp4x/police-unions-want-you-to-think-derek-chauvin-is-the-only-bad-cop>
- Parenti, Christian. 1999. *Lockdown America: Police and Prisons in the Age of Crisis*. Verso.
- Pereira, Ivan. 2020. "NYC Cuts \$1B From Police Budget Amid Calls for Reform." ABC News. <https://abcnews.go.com/US/nyc-cuts-1b-police-budget-amid-calls-reform/story?id=71552471>
- Perkins, Tom. 2020. "Revealed: Police Unions Spend Millions to Influence Policy in Biggest US Cities." The Guardian. <https://www.theguardian.com/us-news/2020/jun/23/police-unions-spending-policy-reform-chicago-new-york-la>
- Perry, David M., and Lawrence Carter-Long. 2016. "The Ruderman White Paper on Media Coverage of Law Enforcement Use of Force and Disability." Ruderman Family Foundation. https://rudermanfoundation.org/white_papers/media-coverage-of-law-enforcement-use-of-force-and-disability/
- Pew Research Center. 2020. "Majority of Public Favors Giving Civilians the Power to Sue Police Officers for Misconduct." <https://www.pewresearch.org/politics/2020/07/09/majority-of-public-favors-giving-civilians-the-power-to-sue-police-officers-for-misconduct/>
- Police Accountability Task Force. 2016. "Recommendations for Reform: Restoring Trust Between the Chicago Police and the Communities they Serve." https://chicagopatf.org/wp-content/uploads/2016/04/PATF_Final_Report_4_13_16-1.pdf
- Price, Joshua M. 2015. *Prison and Social Death*. Rutgers University Press.
- Prison Legal News. 2013. "FBI's National Crime Data Found to be Flawed, Manipulated."

- <https://www.prisonlegalnews.org/news/2013/apr/15/fbis-national-crime-data-found-to-be-flawed-manipulated/>
- Rabuy, Bernadette, and Daniel Kopf. 2016. "Detaining the Poor." Prison Policy Initiative. <https://www.prisonpolicy.org/reports/incomejails.html>
- Reaves, Brian. 2011. "Local Police Departments, 2007." U.S. Department of Justice. <https://www.bjs.gov/content/pub/pdf/lpd07.pdf>
- Rios, Victor M. 2011. *Punished: Policing the Lives of Black and Latino Boys*. New York University Press.
- Rodriguez, Dylan. 2021. *White Reconstruction: Domestic Warfare and the Logics of Genocide*. Fordham University Press.
- Rushin, Stephen. 2017. "Police Union Contracts." *Duke Law Journal* 66 (6): 1191-1266.
- Sanders, Topher, Kate Rabinowitz, and Benjamin Conarck. 2017. "Walking While Black." ProPublica. <https://features.propublica.org/walking-while-black/jacksonville-pedestrian-violations-racial-profiling/>
- Sawyer, Wendy, and Peter Wagner. 2020. "Mass Incarceration: The Whole Pie 2020." Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2020.html>
- Scheiber, Noam, Farah Stockman, and J. David Goodman. 2021. "How Police Unions Became Such Powerful Opponents to Reform Efforts." New York Times. <https://www.nytimes.com/2020/06/06/us/police-unions-minneapolis-kroll.html>
- Schenwar, Maya, and Victoria Law. 2020. *Prison by Any Other Name: The Harmful Consequences of Popular Reforms*. The New Press.
- Seigel, Micol. 2018. "Violence Work: Policing and Power." *Race & Class* 59 (4): 15-33.
- Sered, Danielle. 2019. *Until we Reckon: Violence, Mass Incarceration, and a Road to Repair*. The New Press.
- Serrano, Alfonso. 2016. "Inside Big Pharma's Fight to Block Recreational Marijuana. The Guardian." <https://www.theguardian.com/sustainable-business/2016/oct/22/recreational-marijuana-legalization-big-business>
- Sewell, Abigail A., and Kevin A. Jefferson. 2016. "Collateral Damage: The Health Effects of Invasive Police Encounters in New York City." *Journal of Urban Health* 93 Suppl 1 (S1): 42-67.
- Sklansky, David Alan. 2007. *Democracy and the Police: Critical Perspectives on Crime and Law*. Stanford University Press.

- Snell, Tracy L. 2020. "Capital Punishment, 2018 - Statistical Tables." US Department of Justice, Bureau of Justice Statistics. <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=7066>
- Soss, Joe, and Vesla Weaver. 2017. "Police Are Our Government: Politics, Political Science, and the Policing of Race–Class Subjugated Communities." *Annual Review of Political Science* 20 (1): 565-591.
- Stillman, Sarah. 2013. "Taken." *The New Yorker*.
<https://www.newyorker.com/magazine/2013/08/12/taken>
- Stromberg, Joseph. 2015. "The Forgotten History of How Automakers Invented the Crime of 'Jaywalking'." Vox. <https://www.vox.com/2015/1/15/7551873/jaywalking-history>
- Takahama, Elise. 2020. "Seattle Police Officers Guild Expelled from King County's Largest Labor Council." <https://www.seattletimes.com/seattle-news/seattle-police-officers-guild-expelled-from-countys-largest-labor-council/>
- Traub, Amy. 2017. "The Steal: The Urgent Need to Combat Wage Theft in Retail." Demos. <https://www.demos.org/research/steal-urgent-need-combat-wage-theft-retail>
- Treene, Alayna, and Kadia Goba. 2021. "Chauvin Verdicts Reduce Pressure for Police Reform." Axios. <https://www.axios.com/chauvin-verdict-congress-police-reform-1b0472bf-67c8-4b69-9d82-d9e18d62d3e3.html>
- Vera, Amir. 2020. "Texas Billboard Warns Drivers to Enter Austin 'At Your Own Risk' After City Reduces Police Budget." CNN. <https://www.cnn.com/2020/09/13/us/austin-texas-defund-police-billboard/index.html>
- Vitale, Alex. 2018. *The End of Policing*. Verso.
- Walker, Samuel. 2008. "The Neglect of Police Unions: Exploring One of the Most Important Areas of American policing." *Police Practice & Research* 9 (2): 95-112.
- Washington Post. 2021. "Police Shootings Database."
<https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>.
- Weaver, Vesla. 2007. "Frontlash: Race and the Development of Punitive Crime Policy." *Studies in American Political Development* 21: 230-265.
- Weaver, Vesla M., and Amanda Geller. 2019. "De-Policing America's Youth: Disrupting Criminal Justice Policy Feedbacks That Distort Power and Derail Prospects." *The ANNALS of the American Academy of Political and Social Science* 685 (1): 190-226.
- We Charge Genocide. 2014. "We Charge Genocide: Police Violence Against Chicago's Young People of Color." <http://report.wechargegenocide.org>

Williams, Kristian. 2015. *Our Enemies in Blue: Police and Power in America*. AK Press.

Yurcaba, Jo. 2021. “New York Repeals 'Walking While Trans' Law After Years of Activism.” NBC News. <https://www.nbcnews.com/feature/nbc-out/new-york-repeals-walking-while-trans-law-after-years-activism-n1256736>

Zeng, Zhen. 2018. Jail Inmates in 2018. Bureau of Justice Statistics, US Department of Justice. <https://www.bjs.gov/content/pub/pdf/ji18.pdf>

Zimring, Franklin E. 2017. *When Police Kill*. Cambridge, Massachusetts: Harvard University Press.

TABLES

Table 1. Summary Statistics

Variable	Number of observations	Mean	Standard Deviation	Min	Max
Total expenditure in 2012 dollars	4,473	126,000,000	328,000,000	419,999	3,550,000,000
Law enforcement expenditure in 2012 dollars	4,473	13,700,000	29,800,000	11.500	341,000,000
Law enforcement budget proportion	4,473	0.168	0.101	0.000002	0.717
Unemployment rate	4,472	5.570	2.540	2.200	14.700
Hispanic share of the population	4,472	0.146	0.155	0.010	0.650
Black share of the population	4,472	0.147	0.083	0.021	0.584
Population (in thousands)	4,472	653.700	701.700	6.332	2500.600
Arrests (in thousands)	4,082	0.855	1.762	0	16.116

Note: Several arrest observations are missing (see section VI.D. Limitations of the Empirical Analysis)

Table 2. Regression Results

Variable	Model 1	Model 2
Williams interaction	0.295*** (0.057)	0.013*** (0.004)

In population (in thousands)	0.519** (0.247)	-0.009 (0.013)
Unemployment rate	0.004 (0.004)	0.002*** (0.0003)
In arrests (in thousands)	0.033* (0.017)	0.002 (0.003)
Black share of the population	1.849* (0.986)	0.227 (0.150)
Hispanic share of the population	3.708*** (0.789)	-0.255*** (0.078)
R-squared	0.1437	0.1050
Number of observations	3917	3917

Note: Robust standard errors are in parentheses; *** p<0.01, ** p<0.05, * p<0.1.